



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2009\_1195  
Wei-Ping CHEN et al. : **Confirmation No. 4772**  
Serial No. 10/586,204 : Group Art Unit 1626  
Filed September 29, 2006 : Examiner Joseph R. Kosack  
PROCESS FOR THE PRODUCTION OF : **Mail Stop: RCE**  
ASYMMETRIC TRANSFORMATION  
CATALYSTS

**REPLY TO ADVISORY ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Advisory Action mailed May 21, 2010, the Examiner continues to take the position that the applied references render the presently claimed invention obvious under 35 U.S.C. §103(a). However, the Examiner is requested to reconsider his position in this regard, based on the patentability arguments of record together with the following comments.

Nettekoven et al. is cited merely for providing motivation to get chiral phosphine ligands. However, the preparation process in this reference is totally different from the instantly claimed preparation process, and no features of the instant main claim can be found in Nettekoven et al. As a consequence, the Examiner has to show that the instant invention is rendered obvious from the teachings of the remaining cited prior art documents.

However, the Examiner admits that not all features of the present invention can be found in the remaining cited prior art documents. Nevertheless, according to the Examiner "the suggestions provided by the prior art are sufficient to render the claims obvious".

Since the requirement for obviousness that all features of the invention must be found in the prior art is not fulfilled, the Examiner should provide good arguments to fill this gap.